APPENDIX I.

[Vide answer to starred question No. 4 asked by Sri V. Balakrishnan at the meeting of the Legislative Assembly held on 28th June 1952, page 48 supra.]

Names of the promoters of Messrs. The Fertilisers and Chemicals, Travancore, Limited.

	Name.	*Address.*
1	Seshasayee Brothers, Limited.	Tennur, Tiruchirappalli.
2	V. Seshasayee	Seshapuram, Tennur, Tiruchirappalli.
3	A. C. K. Krishnaswamy ..	Reynolds Road, Cantonment, Tiruchirappalli.
4	M. S. V. Tnatham	First House, Srirangam.
5	R. Varadarajan	Rangasaranam, Ammamandapam, Srirangam.
6	A. Ananthasubramania Aiyar.	South Street, Thiruvanaikoil, Tiruchirappalli.
7	A. S. Sankara Aiyar ..	Retired Assistant Accountant-General, Trivandrum.
8	J. E. A. Pereira	'Gitanjali', Quilon.

APPENDIX II.

[Vide item VII (4) on page 69 supra.]

ANNEXURE.

[*Note.*—The changes made by the Select Committee are shown in clarendon type and the portions omitted are shown by dots.]

L.A. BILL No. 3 OF 1952.

(*As amended by the Select Committee.*)

A Bill to provide for continuing, the requisition of, and for acquiring where necessary, certain immovable properties which are now subject to requisition under the Requisitioned Land (Continuance of Powers) Act, 1947.

WHEREAS it is expedient to provide for continuing the requisition of, and for acquiring where necessary, certain immovable properties which are now subject to requisition under the Requisitioned Land (Continuance of Powers) Act, 1947 (Central Act XVII of 1947); It is hereby enacted as follows :—

1. *Short title, extent and duration.*—(1) This Act may be called the Madras Requisitioned Land (Continuance of Powers) Act, 1952.

(2) It extends to the whole of the State of Madras.

(3) It shall be deemed to have come into force on the 13th day of June 1952, and shall cease to have effect on the 1st day of April 1953 except as respects things done or omitted to be done before that date; and section 8 of the Madras General Clauses Act, 1891 (Madras Act I of 1891), shall apply as if this Act had then been repealed by a Madras Act.

2 *Continuance of requisition.*—All immovable properties which were requisitioned by or under the authority of the State Government and for their purposes under the rules made under the Defence of India Act, 1939 (Central Act

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XXXV of 1939), and which at the commencement of this Act continued to be under requisition by virtue of the Requisitioned Land (Continuance of Powers) Act, 1947 (Central Act XVII of 1947), Madras Act II of 1951 and Madras Ordinance I of 1952, shall continue to be subject to requisition until the expiry of this Act; and the State Government may use or deal with any such immovable property (hereinafter referred to as requisitioned land) in such manner as may appear to them to be expedient :

Provided that the State Government may at any time release any requisitioned land from requisition.

3. *Release from requisition.*—(1) Where any requisitioned land is to be released from requisition, the State Government may, after making such inquiry, if any, as they consider necessary, specify by order in writing the person to whom possession of the land shall be given :

Provided that an order under this sub-section specifying some person other than the person from whom possession of the land was taken at the time of the requisition shall not be passed unless notice is given to the latter, or if he is dead, to his heirs or legal representatives and his or their representations if any, have been considered.

(2) The delivery of possession of the requisitioned land to the person specified in an order made under sub-section (1) shall be a full discharge of the State Government from all liability in respect of such delivery, but shall not prejudice any rights in respect of the land which any other person may be entitled by due process of law to enforce against the person to whom possession of the land is so delivered.

(3) Where the person to whom possession of any requisitioned land is to be given cannot be found and has no agent or other person empowered to accept delivery on his behalf, the State Government shall cause a notice declaring that the land is released from requisition to be affixed on some conspicuous part of the land and shall also publish the notice in the *Fort St. George Gazette*.

(4) When a notice referred to in sub-section (3) is published in the "Fort St. George Gazette," the land specified in such notice shall cease to be subject to requisition on and from the date of such publication; but the State Government shall be in charge of such land until it is delivered to the person specified in the order under sub-section (1), or to his heirs or legal representatives or to an agent or other person empowered to accept delivery on behalf of such person or his heirs or legal representatives.

(5) The State Government shall not be liable for any compensation or other claim whatsoever in respect of the land for any period after the date of the publication of the notice

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referred to in sub-section (3), in any case, including the case where they are in charge of the land in pursuance of sub-section (4).

4. *Power to acquire requisitioned land.*—(1) If at any time the State Government are of opinion that it is necessary to acquire any requisitioned land for a public purpose, they may acquire such land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire such land in pursuance of this section.

(2) When a notice as aforesaid is published in the *Fort St. George Gazette*, the requisitioned land shall, on and from the beginning of the day on which the notice is so published, vest absolutely in the State Government free from all encumbrances, and the period of requisition of such land shall end.

(3) No requisitioned land shall be acquired under this section except in the following circumstances, namely :—

(*a*) where any works have during the period of requisition been constructed on, in or over, the land wholly or partly at the expense of the State Government and they decide that the value of, or the right to use, such works should be preserved or secured for the purposes of the State Government ; or

(*b*) where the cost of restoring the land to its condition at the time of its requisition would, in the determination of the State Government, be excessive having regard to the value of the land at that time and the owner declines to accept the release from requisition of the land without payment of compensation from the State Government.

. . . . . .

(4) For the purposes of clause (*a*) of sub-section (3), "works" includes buildings, structures and improvements of every description.

5. *Payment of compensation.*—(1) In respect of the continued subjection of requisitioned land to requisition under this Act, compensation shall be determined and paid in accordance with the provisions of section 19 of the Defence of India Act, 1939 (Central Act XXXV of 1939), and of the rules made thereunder :

Provided that all agreements and awards for the payment of compensation in respect of any requisitioned land for any period of requisition before the commencement of this Act and in force immediately before such commencement, shall continue to be in force and shall apply to the payment of compensation in respect of that land for any period of requisition after such commencement.

(2) In respect of any acquisition of requisitioned land under this Act, **the amount of compensation payable shall be the price which the requisitioned land would have fetched in**

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the open market if it had remained in the same condition as it was at the time of the requisition and been sold on the date of acquisition, and such amount shall be determined and paid in accordance with the procedure set out in the aforesaid section 19 and the rules made thereunder.

(3) For the purposes of sub-section (1) all the provisions of the aforesaid section 19 and of the rules made thereunder, and for the purposes of sub-section (2) such of those provisions as relate to matters of procedure, shall be deemed to be continuing in force.

6. *Power to obtain information.*—(1) The State Government may, with a view to carrying out the purposes of sections 2 to 5, by order require any person to furnish to such authority as may be specified in the order such information in his possession relating to any requisitioned land as may be specified.

(2) Every person required to furnish such information as is referred to in sub-section (1) shall be deemed to be legally bound to do so within the meaning of sections 176 and 177 of the Indian Penal Code (Central Act XLV of 1860).

7. Exercise of Government's powers and duties by others.— The State Government may, by order notified in the *Fort St. George Gazette*, direct that any power conferred or any duty imposed on them by this Act shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or discharged by such officer as may be so specified.

8. *Protection of action taken under the Act.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is, in good faith, done or intended to be done in pursuance of this Act or any order made thereunder.

(2) No suit or other legal proceeding shall lie against the State Government for any damage caused or likely to be caused by anything, in good faith, done or intended to be done in pursuance of this Act or any order made thereunder.

9. *Repeal of Central Act XVII of* 1947, *Madras Act II of* 1951 *and Madras Ordinance I of* 1952.—(1) The Requisitioned Land (Continuance of Powers) Act, 1947 (hereinafter referred to as the said Act), in so far as it relates to the immovable properties referred to in section 2, and the enactments continuing the operation of that Act, namely, Madras Act II of 1951 and the Madras Ordinance I of 1952, are hereby repealed :

Provided that anything done or any action taken in the exercise of any power conferred by or under the said Act, at any time before the commencement of this Act, shall be deemed to have been done or taken in the exercise of the

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corresponding power conferred by or under this Act, as if this Act were in force at the time when such thing was done or such action was taken.

(2) For the avoidance of doubt, it is hereby declared that the repeal of the said Act by Central Ordinance III of 1952 and Central Act XXX of 1952 shall not be deemed to have affected the operation of the said Act, as respects any requisitioned land as defined therein which at the time of such repeal was subject to requisition by or under the authority of the State Government and for their purposes.

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS
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